



#3 Sector + A

PTO/SB/21 (modified)

Approved for use through xx/xx/xx, OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

U.S. Department of Commerce
Rev. 10/95

Application Number **09/728,373**

Filing Date **November 28, 2000**

First Named Inventor **Ting K. Yee**

Group Art Unit Number **2633**

Examiner Name **Unknown**

Total Number of Pages in This Submission

11

Attorney Docket Number **5169 US**

ENCLOSURES (check all that apply)

- | | |
|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) | <input type="checkbox"/> Issue Fee Transmittal |
| <input checked="" type="checkbox"/> Check Enclosed | <input type="checkbox"/> Letter to Chief Draftsperson |
| <input checked="" type="checkbox"/> Return Receipt Postcard | <input type="checkbox"/> Formal Drawing(s): |
| <input checked="" type="checkbox"/> Response to Notice to File Missing Parts | <input type="checkbox"/> [] Sheet(s) of Figure(s) [] |
| <input type="checkbox"/> Assignment & Recordation Cover Sheet | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Declaration | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input checked="" type="checkbox"/> Power of Attorney (2) | <input type="checkbox"/> Certified Copy of Priority Document(s) |
| <input checked="" type="checkbox"/> Application Data Sheet | <input type="checkbox"/> After Allowance Communication to Group |
| <input type="checkbox"/> Information Disclosure Statement & PTO-1449 | <input type="checkbox"/> |
| <input type="checkbox"/> Copies of IDS Cited References | <input type="checkbox"/> |
| <input type="checkbox"/> Request for Corrected Filing Receipt | <input type="checkbox"/> |
| <input type="checkbox"/> Request for Correction of Recorded Assignment | <input type="checkbox"/> |
| <input type="checkbox"/> Amendment/Response: [] Page(s) | <input type="checkbox"/> |
| <input type="checkbox"/> After Final | <input type="checkbox"/> |
| <input type="checkbox"/> Status Request | <input type="checkbox"/> |
| <input type="checkbox"/> Revocation and Substitute Power of Attorney | <input type="checkbox"/> |

REMARKS:

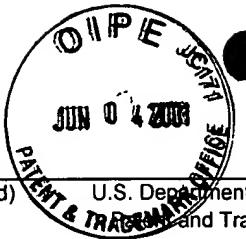
SIGNATURE OF ATTORNEY OR AGENT

Signature:	<i>Michael W. Farn</i>
Attorney/Reg. No.:	Michael W. Farn, Reg. No. 41,015
Dated:	May 31, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.

Signature:	<i>Michael W. Farn</i>
Typed or Printed Name:	Michael W. Farn
Express Mail Mailing Number (optional):	
Dated:	May 31, 2001



PTO/SB/17 (10-00)(modified)
Approved for use through 09/29/01, OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

0002/PTO(modified) U.S. Department of Commerce
Rev. 10/2000
PATENT & TRADEMARK OFFICE and Trademark Office

FEE TRANSMITTAL

TOTAL AMOUNT OF PAYMENT

Subtotal (1) + Subtotal (2) + Subtotal (3) = **(\$(120)**

		<i>Complete if Known</i>	
Application Number	09/728,373		
Filing Date	November 28, 2000		
First Named Inventor	Ting K. Yee		
Group Art Unit	2633		
Examiner Name	Unknown		
Attorney Docket Number	5169 US		

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																																																																																						
1. The Commissioner is hereby authorized to: <ul style="list-style-type: none"> <input type="checkbox"/> Charge the indicated fees to the below mentioned deposit account. <input checked="" type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account. † <input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27 		3. ADDITIONAL FEES <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 30%;">Large Entity</th> <th style="text-align: left; width: 30%;">Small Entity</th> <th style="text-align: left; width: 40%;">Fee Description</th> <th style="text-align: right; width: 10%;">Fee Due</th> </tr> </thead> <tbody> <tr><td>Fee Code/Fee</td><td>Fee Code/Fee</td><td></td><td></td></tr> <tr><td>105/\$130</td><td>205/\$65</td><td>Surcharge - late filing fee or oath</td><td style="text-align: right;">65</td></tr> <tr><td>127/\$50</td><td>227/\$25</td><td>Surcharge-late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>147/\$2,520</td><td>147/\$2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>115/\$110</td><td>215/\$55</td><td>Extension for response within first month†</td><td style="text-align: right;">55</td></tr> <tr><td>116/\$390</td><td>216/\$195</td><td>Extension for response within second month†</td><td></td></tr> <tr><td>117/\$890</td><td>217/\$445</td><td>Extension for response within third month†</td><td></td></tr> <tr><td>118/\$1,390</td><td>218/\$695</td><td>Extension for response within fourth month†</td><td></td></tr> <tr><td>128/\$1,890</td><td>228/\$945</td><td>Extension for response within fifth month†</td><td></td></tr> <tr><td>119/\$310</td><td>219/\$155</td><td>Notice of Appeal</td><td></td></tr> <tr><td>141/\$1,240</td><td>241/\$620</td><td>Petition to revive unintentionally abandoned application</td><td></td></tr> <tr><td>142/\$1,240</td><td>242/\$620</td><td>Utility Issue Fee (Or Reissue)</td><td></td></tr> <tr><td>143/\$440</td><td>243/\$220</td><td>Design Issue Fee</td><td></td></tr> <tr><td>122/\$130</td><td>122/\$130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>126/\$180</td><td>126/\$180</td><td>Submission of Information Disclosure Statement</td><td></td></tr> <tr><td>179/\$710</td><td>279/\$355</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>581/\$40</td><td>581/\$40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146/\$710</td><td>246/\$355</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>149/\$710</td><td>249/\$355</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td colspan="4" style="text-align: center;">Other fee (specify):</td></tr> <tr><td colspan="4" style="text-align: center;">Other fee (specify):</td></tr> <tr> <td colspan="2" style="text-align: right;">SUBTOTAL (1)</td> <td colspan="2" style="text-align: right;">(\$)-0-</td> </tr> <tr> <td colspan="2"> 2. CLAIMS <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 30%;">Large Entity</th> <th style="text-align: left; width: 30%;">Small Entity</th> <th style="text-align: left; width: 40%;">Fee Description</th> </tr> </thead> <tbody> <tr><td>Fee Code/Fee</td><td>Fee Code/Fee</td><td>Fee Description</td></tr> <tr><td>103/\$18</td><td>203/\$9</td><td>Claims in excess of 20</td></tr> <tr><td>102/\$80</td><td>202/\$40</td><td>Independent claims in excess of 3</td></tr> <tr><td>104/\$270</td><td>204/\$135</td><td>Multiple dependent claim</td></tr> <tr><td>109/\$80</td><td>209/\$40</td><td>Reissue independent claims over original patent</td></tr> <tr><td>110/\$18</td><td>210/\$9</td><td>Reissue claims in excess of 20 and over original patent</td></tr> </tbody> </table> </td> <td colspan="2" style="text-align: right;"> SUBTOTAL (3) (\$120) </td> </tr> <tr> <td colspan="4" style="text-align: center;"> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 25%;">For</th> <th style="text-align: left; width: 25%;">(Col. 1) No. of Existing Claims</th> <th style="text-align: left; width: 25%;">(Col. 2) Highest No. Previously Paid For</th> <th style="text-align: left; width: 25%;">(Col. 3) Extra**</th> </tr> </thead> <tbody> <tr><td>TOTAL</td><td>minus*</td><td>20 or 0</td><td>=</td></tr> <tr><td>INDEP</td><td>minus*</td><td>3 or 0</td><td>=</td></tr> <tr><td colspan="4" style="text-align: center;">[] First presentation of multiple dependent claim</td></tr> </tbody> </table> </td> </tr> <tr> <td colspan="4" style="text-align: center;">* Subtract the greater number of Col. 1 and Col. 2</td> <td colspan="2" style="text-align: right;">SUBTOTAL (2) (\$)-0-</td> </tr> <tr> <td colspan="4" style="text-align: center;">** If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3</td> <td colspan="2"></td> </tr> </tbody> </table>		Large Entity	Small Entity	Fee Description	Fee Due	Fee Code/Fee	Fee Code/Fee			105/\$130	205/\$65	Surcharge - late filing fee or oath	65	127/\$50	227/\$25	Surcharge-late provisional filing fee or cover sheet		147/\$2,520	147/\$2,520	For filing a request for reexamination		115/\$110	215/\$55	Extension for response within first month†	55	116/\$390	216/\$195	Extension for response within second month†		117/\$890	217/\$445	Extension for response within third month†		118/\$1,390	218/\$695	Extension for response within fourth month†		128/\$1,890	228/\$945	Extension for response within fifth month†		119/\$310	219/\$155	Notice of Appeal		141/\$1,240	241/\$620	Petition to revive unintentionally abandoned application		142/\$1,240	242/\$620	Utility Issue Fee (Or Reissue)		143/\$440	243/\$220	Design Issue Fee		122/\$130	122/\$130	Petitions to the Commissioner		126/\$180	126/\$180	Submission of Information Disclosure Statement		179/\$710	279/\$355	Request for Continued Examination (RCE)		581/\$40	581/\$40	Recording each patent assignment per property (times number of properties)		146/\$710	246/\$355	Filing a submission after final rejection (37 CFR 1.129(a))		149/\$710	249/\$355	For each additional invention to be examined (37 CFR 1.129(b))		Other fee (specify):				Other fee (specify):				SUBTOTAL (1)		(\$)-0-		2. CLAIMS <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 30%;">Large Entity</th> <th style="text-align: left; width: 30%;">Small Entity</th> <th style="text-align: left; width: 40%;">Fee Description</th> </tr> </thead> <tbody> <tr><td>Fee Code/Fee</td><td>Fee Code/Fee</td><td>Fee Description</td></tr> <tr><td>103/\$18</td><td>203/\$9</td><td>Claims in excess of 20</td></tr> <tr><td>102/\$80</td><td>202/\$40</td><td>Independent claims in excess of 3</td></tr> <tr><td>104/\$270</td><td>204/\$135</td><td>Multiple dependent claim</td></tr> <tr><td>109/\$80</td><td>209/\$40</td><td>Reissue independent claims over original patent</td></tr> <tr><td>110/\$18</td><td>210/\$9</td><td>Reissue claims in excess of 20 and over original patent</td></tr> </tbody> </table>		Large Entity	Small Entity	Fee Description	Fee Code/Fee	Fee Code/Fee	Fee Description	103/\$18	203/\$9	Claims in excess of 20	102/\$80	202/\$40	Independent claims in excess of 3	104/\$270	204/\$135	Multiple dependent claim	109/\$80	209/\$40	Reissue independent claims over original patent	110/\$18	210/\$9	Reissue claims in excess of 20 and over original patent	SUBTOTAL (3) (\$120)		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 25%;">For</th> <th style="text-align: left; width: 25%;">(Col. 1) No. of Existing Claims</th> <th style="text-align: left; width: 25%;">(Col. 2) Highest No. Previously Paid For</th> <th style="text-align: left; width: 25%;">(Col. 3) Extra**</th> </tr> </thead> <tbody> <tr><td>TOTAL</td><td>minus*</td><td>20 or 0</td><td>=</td></tr> <tr><td>INDEP</td><td>minus*</td><td>3 or 0</td><td>=</td></tr> <tr><td colspan="4" style="text-align: center;">[] First presentation of multiple dependent claim</td></tr> </tbody> </table>				For	(Col. 1) No. of Existing Claims	(Col. 2) Highest No. Previously Paid For	(Col. 3) Extra**	TOTAL	minus*	20 or 0	=	INDEP	minus*	3 or 0	=	[] First presentation of multiple dependent claim				* Subtract the greater number of Col. 1 and Col. 2				SUBTOTAL (2) (\$)-0-		** If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3					
Large Entity	Small Entity	Fee Description	Fee Due																																																																																																																																																					
Fee Code/Fee	Fee Code/Fee																																																																																																																																																							
105/\$130	205/\$65	Surcharge - late filing fee or oath	65																																																																																																																																																					
127/\$50	227/\$25	Surcharge-late provisional filing fee or cover sheet																																																																																																																																																						
147/\$2,520	147/\$2,520	For filing a request for reexamination																																																																																																																																																						
115/\$110	215/\$55	Extension for response within first month†	55																																																																																																																																																					
116/\$390	216/\$195	Extension for response within second month†																																																																																																																																																						
117/\$890	217/\$445	Extension for response within third month†																																																																																																																																																						
118/\$1,390	218/\$695	Extension for response within fourth month†																																																																																																																																																						
128/\$1,890	228/\$945	Extension for response within fifth month†																																																																																																																																																						
119/\$310	219/\$155	Notice of Appeal																																																																																																																																																						
141/\$1,240	241/\$620	Petition to revive unintentionally abandoned application																																																																																																																																																						
142/\$1,240	242/\$620	Utility Issue Fee (Or Reissue)																																																																																																																																																						
143/\$440	243/\$220	Design Issue Fee																																																																																																																																																						
122/\$130	122/\$130	Petitions to the Commissioner																																																																																																																																																						
126/\$180	126/\$180	Submission of Information Disclosure Statement																																																																																																																																																						
179/\$710	279/\$355	Request for Continued Examination (RCE)																																																																																																																																																						
581/\$40	581/\$40	Recording each patent assignment per property (times number of properties)																																																																																																																																																						
146/\$710	246/\$355	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																						
149/\$710	249/\$355	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																						
Other fee (specify):																																																																																																																																																								
Other fee (specify):																																																																																																																																																								
SUBTOTAL (1)		(\$)-0-																																																																																																																																																						
2. CLAIMS <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 30%;">Large Entity</th> <th style="text-align: left; width: 30%;">Small Entity</th> <th style="text-align: left; width: 40%;">Fee Description</th> </tr> </thead> <tbody> <tr><td>Fee Code/Fee</td><td>Fee Code/Fee</td><td>Fee Description</td></tr> <tr><td>103/\$18</td><td>203/\$9</td><td>Claims in excess of 20</td></tr> <tr><td>102/\$80</td><td>202/\$40</td><td>Independent claims in excess of 3</td></tr> <tr><td>104/\$270</td><td>204/\$135</td><td>Multiple dependent claim</td></tr> <tr><td>109/\$80</td><td>209/\$40</td><td>Reissue independent claims over original patent</td></tr> <tr><td>110/\$18</td><td>210/\$9</td><td>Reissue claims in excess of 20 and over original patent</td></tr> </tbody> </table>		Large Entity	Small Entity	Fee Description	Fee Code/Fee	Fee Code/Fee	Fee Description	103/\$18	203/\$9	Claims in excess of 20	102/\$80	202/\$40	Independent claims in excess of 3	104/\$270	204/\$135	Multiple dependent claim	109/\$80	209/\$40	Reissue independent claims over original patent	110/\$18	210/\$9	Reissue claims in excess of 20 and over original patent	SUBTOTAL (3) (\$120)																																																																																																																																	
Large Entity	Small Entity	Fee Description																																																																																																																																																						
Fee Code/Fee	Fee Code/Fee	Fee Description																																																																																																																																																						
103/\$18	203/\$9	Claims in excess of 20																																																																																																																																																						
102/\$80	202/\$40	Independent claims in excess of 3																																																																																																																																																						
104/\$270	204/\$135	Multiple dependent claim																																																																																																																																																						
109/\$80	209/\$40	Reissue independent claims over original patent																																																																																																																																																						
110/\$18	210/\$9	Reissue claims in excess of 20 and over original patent																																																																																																																																																						
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 25%;">For</th> <th style="text-align: left; width: 25%;">(Col. 1) No. of Existing Claims</th> <th style="text-align: left; width: 25%;">(Col. 2) Highest No. Previously Paid For</th> <th style="text-align: left; width: 25%;">(Col. 3) Extra**</th> </tr> </thead> <tbody> <tr><td>TOTAL</td><td>minus*</td><td>20 or 0</td><td>=</td></tr> <tr><td>INDEP</td><td>minus*</td><td>3 or 0</td><td>=</td></tr> <tr><td colspan="4" style="text-align: center;">[] First presentation of multiple dependent claim</td></tr> </tbody> </table>				For	(Col. 1) No. of Existing Claims	(Col. 2) Highest No. Previously Paid For	(Col. 3) Extra**	TOTAL	minus*	20 or 0	=	INDEP	minus*	3 or 0	=	[] First presentation of multiple dependent claim																																																																																																																																								
For	(Col. 1) No. of Existing Claims	(Col. 2) Highest No. Previously Paid For	(Col. 3) Extra**																																																																																																																																																					
TOTAL	minus*	20 or 0	=																																																																																																																																																					
INDEP	minus*	3 or 0	=																																																																																																																																																					
[] First presentation of multiple dependent claim																																																																																																																																																								
* Subtract the greater number of Col. 1 and Col. 2				SUBTOTAL (2) (\$)-0-																																																																																																																																																				
** If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3																																																																																																																																																								

SUBMITTED BY		Complete (If applicable)	
Typed or Printed Name	Michael W. Farn	Reg. Number	41,015
Signature		Date	May 31, 2001

† Request for Extension of Time per 37 CFR 1.136 (a)(3) made hereby



IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

APPLICANT(S): Ting K. Yee and Peter H. Chang

APPLICATION NO.: 09/728,373

FILING DATE: November 28, 2000

TITLE: Optical communications using heterodyne detection

EXAMINER: Unknown

GROUP ART UNIT: 2633

ATTY. DKT. NO.: 5169 US

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner For Patents, Washington, D.C. 20231, on the date shown below:

Dated: May 31, 2001

By: 
Michael W. Farn, Reg. No. 41,015

BOX MISSING PARTS
COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING
PARTS OF APPLICATION**

SIR:

Responsive to Notice to File Missing Parts dated March 5, 2001 received in the above-identified patent application,

Enclosed are:

- a copy of the Notice to File Missing Parts;
- an original, signed Declaration;
- an original, signed Power of Attorney for each inventor;
- an Application Data Sheet;
- payment in the amount of \$120 for the

55.00 0P
00000015 09728373
11111111111111111111111111111111
11111111111111111111111111111111
11111111111111111111111111111111

- application filing fee;
- fee for additional claims;
- missing parts surcharge; and
- fee for one month extension for response.

Other

Applicant claims small entity status under 37 C.F.R. § 1.27.

Respectfully submitted,
TING K. YEE AND PETER H. CHANG

Dated: May 31, 2001

By: Michael W. Farm
Michael W. Farm, Reg. No. 41,015
FENWICK & WEST LLP
Two Palo Alto Square
Palo Alto, CA 94306
Tel: (650) 858-7823
Fax: (650) 494-1417



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/728,373	11/28/2000	Ting K. Yee	5169 US

00758
FENWICK & WEST LLP
TWO PALO ALTO SQUARE
PALO ALTO, CA 94306

FORMALITIES LETTER



OC00000005828635

Date Mailed: 03/05/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

- **The balance due by applicant is \$ 65.**

*A copy of this notice **MUST** be returned with the reply.*

W Robinson

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE

SEARCHED INDEXED 00000015 09728373

65.00 09